



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Constitution Subcommittee Oversight Hearing Thursday on Eminent Domain and the Supreme Court's *Kelo* Decision

What: Oversight Hearing entitled, "The Supreme Court's *Kelo* Decision and Potential Congressional Responses"

Who: Subcommittee on the Constitution – Rep. Steve Chabot (R-Ohio), Chairman

When: 11:00 a.m., Thursday, September 22, 2005

Where: 2141 Rayburn Building

On June 23, 2005, the Supreme Court issued a 5-4 decision in *Kelo v. City of New London* in which it held that "economic development" can be a "public use" under the Fifth Amendment's Takings Clause. This decision says that the government's taking of private property from small home and business owners and giving it to large corporations or condominium developers for private business uses can be justified by the creation of a more lucrative tax base that generates more tax revenues.

BACKGROUND...

- ✓ As the dissent in *Kelo* pointed out, "The specter of condemnation hangs over all property. Nothing is to prevent the State from replacing any Motel 6 with a Ritz-Carlton, any home with a shopping mall, or any farm with a factory ... As for the victims, the government now has license to transfer property from those with fewer resources to those with more. The Founders cannot have intended this perverse result."
- ✓ According to a *Wall Street Journal*/NBC News poll, "In the wake of the court's eminent domain decision, Americans overall cite 'private-property rights' as the current legal issue they care most about."

THIS HEARING WILL...

- ⇒ Explore the ramifications of the *Kelo* decision and potential Congressional responses.

WITNESSES: Ms. Dana Berliner, Senior Attorney, Institute for Justice; Mr. Michael Cristofaro, Resident, New London, Connecticut; Mr. Hilary Shelton, Director, NAACP Washington Bureau; and Mr. Bart Peterson, Mayor, City of Indianapolis, Indiana.

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